

than two grains of opium or not more than two-fifths grain of morphine, or not more than one-fourth grain of hereoine, or not more than ten grains of chloral hydrate in one fluid ounce, or, if a solid preparation, in one avoirdupois ounce; provided, also, that the above provisions shall not apply to preparations containing opium and recommended and sold in good faith for diarrhoea and cholera, each bottle or package of which is accompanied by specific directions; and provided, further, that nothing herein contained shall be construed to prohibit the sale of any said drugs by any licensed manufacturing pharmacists or chemists, or wholesale or retail pharmacists or druggists to other licensed manufacturing pharmacists or chemists, or wholesale or retail pharmacists or druggists, or to hospitals, colleges, scientific or public institutions, or to licensed physicians, dentists or practitioners of veterinary medicine and surgery; nor to the use of any of the said drugs by any licensed physician, dentist or practitioner of veterinary medicine or surgery in the regular course of his practice.

A Baltimore City ordinance dealing with the same offense as the act of 1906, ch. 523, but broader in its scope and imposing heavier penalties, held valid notwithstanding the act of 1906, ch. 523; a provision in such ordinance, however, for the forfeiture of the license of pharmacists, etc., held void. *Rossberg v. State*, 111 Md. 409.

1904, art. 27, sec. 237. 1904, ch. 607, secs. 1-3. 1912, ch. 473.

252. If any person except a licensed physician, dentist or practitioner of veterinary medicine or surgery, manufacturing pharmacist or chemist or wholesale or retail pharmacist or druggist have in his possession cocaine, encaïne, opium, morphine, hereoine, chloral hydrate or any salts or compounds of any of the foregoing substances or their salts or compounds other than paregoric and laudanum or *bona fide* proprietary medicines containing codine or not more than two grains of opium nor not more than two-fifths grain of morphine or not more than one-fourth grain of hereoine or not more than ten grains of chloral hydrate in one fluid ounce, or if a solid preparation in one avoirdupois ounce, or any of them with intent to sell, give away or otherwise dispose of the same he shall be deemed guilty of a misdemeanor and punished by a fine of not more than one thousand dollars or by confinement in the penitentiary of this State for not less than one year nor more than five years or both in the discretion of the Court, and possession of any of the above enumerated drugs or mixtures thereof, except by a licensed physician, dentist, practitioner of veterinary medicine or surgery, manufacturing chemist or pharmacist, wholesale or retail pharmacist or druggist or on the prescription of a licensed physician dentist or veterinarian in good standing in his profession not of intemperate habits and not addicted to the use of any drug, shall be *prima facie* evidence of an intent to sell, give away or otherwise dispose of the same. Provided, that nothing herein contained shall be construed to apply to any hospital, college or scientific or public institution.

As to the commissioners of pharmacy. see article 43, section 178, *et seq.*; see also article 43, section 166, *et seq.*